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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: HEINZ BLÖMELING- 4 PCT

PCT NO.: PCT/EP2004/008202

FILED: 7/22/04

Ser. No.: 10/566,013

FILED: 1/25/06

FOR: SOUND-INSULATING COMPOSITE COMPONENT AND METHOD
FOR THE PRODUCTION THEREOF

SUBMISSION OF INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

MAIL STOP PCT

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed please find a copy of the International Preliminary
Report on Patentability.

Respectfully submitted,
Heinz Blömeling

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP PCT, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450, on September 27, 2006.

Kelly Espitia



PATENT COOPERATION TREATY

PCT/EP2004/008202

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

COHAUSZ & FLORACK

Bleichstrasse 14
40211 Düsseldorf
ALLEMAGNE

Eingang:	06. SEP. 2006		
Fragebogen			
Bearbeiter:	My	h	
Erreichte			

Date of mailing (day/month/year) 31 August 2006 (31.08.2006)	
Applicant's or agent's file reference <u>030089WO</u>	IMPORTANT NOTIFICATION
International application No. PCT/EP2004/008202	International filing date (day/month/year) 22 July 2004 (22.07.2004)
Applicant CARCOUSTICS TECH CENTER GMBH et al	

1. Transmittal of the translation to the applicant.

- ☐ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).
- ☒ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

KR

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MX, MY, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Ellen Moyse
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Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 030089WO	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/008202	International filing date (day/month/year) 22.07.2004	Priority date (day/month/year) 25.07.2003
International Patent Classification (IPC) or national classification and IPC B29C43/14, B29C43/52, B60R13/08		
Applicant CARCOUSTICS TECH CENTER GMBH		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☒ (sent to the applicant and to the International Bureau) a total of 12 sheets, as follows:

☐ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

☒ Box No. I Basis of the report

☐ Box No. II Priority

☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

☐ Box No. IV Lack of unity of invention

☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

☐ Box No. VI Certain documents cited

☐ Box No. VII Certain defects in the international application

☐ Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/008202

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:

- ☐ international search (Rule 12.3 and 23.1(b))
☐ publication of the international application (Rule 12.4)
☐ international preliminary examination (Rule 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

☐ the international application as originally filed/furnished

☒ the description:

pages 1, 6, 8, 9, 12 as originally filed/furnished

pages* 2, 3, 3a, 4, 5, 7, 10, 11 received by this Authority on 21.05.2005 with letter of 19.05.2005

pages* _____ received by this Authority on _____

☒ the claims:

nos. _____ as originally filed/furnished

nos.* _____ as amended (together with any statement) under Article 19

nos.* 1-19 received by this Authority on 21.05.2005 with letter of 19.05.2005

nos.* _____ received by this Authority on _____

☒ the drawings:

sheets 1/4-2/4 as originally filed/furnished

sheets* _____ received by this Authority on _____

sheets* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (specify): _____

☐ any table(s) related to sequence listing (specify): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (specify): _____

☐ any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/008202

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-19	YES
	Claims		NO
Inventive step (IS)	Claims	1-19	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-19	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
Claim 1			
1. Claim 1 meets the requirements regarding novelty and inventive step (PCT Articles 33(2) and 33(3)).			
2. The subject matter of claim 1 is novel, since the features of independent claim 1 in their entirety are mentioned in none of the documents which are cited in the search report or acknowledged in the introductory part of the description.			
3. The invention is based on document GB-A-2 216 081 (D1), mentioned in the application, and relates to the production of a sound-insulating composite part comprising a heavy layer (6) and a sound-damping layer (17) according to the features of the preamble of the current claim 1.			
4. In order to achieve improved recycling properties, the heavy layer (6) and the sound-damping layer (17) of the composite parts are produced by partial welding during pressing of the two layers,			

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/008202

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>according to the features of the characterizing part of claim 1.</p> <p>5. No such combination is disclosed in the method according to the searched prior art and therefore cannot be suggested in conjunction with the features known from D1. The adopted measure, which consists in partially welding the heavy layer (6) to the sound-damping layer (17) by activating welding elements integrated into the press, is the result of a step that does not represent a logical development of the cited prior art. The method according to claim 1 therefore involves an inventive step.</p> <p>6. The method as per claim 1 can be reproduced and applied and thus is considered industrially applicable.</p> <p>Claim 12</p> <p>7. Independent product claim 12 is correspondingly worded and therefore likewise meets the requirements regarding novelty, inventive step and industrial applicability (PCT Article 33(2) to 33(4)).</p> <p>Claims 2 to 11, 13 to 19</p> <p>8. Dependent claims 2 to 11 and 13 to 19 contain advantageous and non-obvious developments of the method as per claim 1 or of the product as per</p>

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/008202

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

claim 12 and therefore likewise meet the requirements regarding novelty, inventive step and industrial applicability (PCT Article 33(2) to 33(4)).

Clarity

9. The current version of claim 1 does not meet the requirement of PCT Article 6. The preamble of product claim 12 states that the heavy layer (6) is made of thermoplastic elastomers. However, no corresponding feature is disclosed in claim 1.